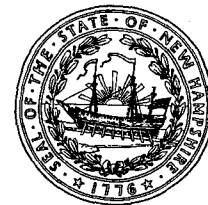




State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-2147 FAX (603) 271-6588



LETTER OF DEFICIENCY  
WET 2005-37

October 25, 2005

Begin Construction  
Po Box 473  
Warner, NH 03278

RE: DES Wetlands File #2003-00854 1688 Hatfield Rd, Hopkinton

Dear Mr. Begin,

On September 30, 2005, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Hopkinton Tax Map 217 as Lot 33 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection the following deficiencies were documented:

1. The area behind the house (between the house and the leach field) had been re-graded and re-contoured.
2. Approximately 4500 square feet of previously delineated wetland has been landscaped and converted to lawn.
3. A temporary impact of 500 square feet was approved in Wetlands and Non-Site Specific Permit 2001-2410, for access to an upland area in the back of the lot for the construction of an effluent disposal field. The temporary crossing was to be restored immediately following operational approval. The temporary crossing area has been converted to lawn and expanded as noted in #1 and #2 above.

In response, you are requested to take the following actions:

1. **Within 30 days** of receipt of this letter, submit a Restoration Plan to restore the delineated wetland as depicted on the plans by Arthur Siciliano, Jr. dated November 2001 and revised January 23, 2002 and entitled Dredge & Fill Plan Tax Lot 207 / 33. The Restoration Plan shall be drawn to scale and include provisions to accomplish the following:

1. Re-grade the back yard to restore the pre-development contours;
2. Restore the delineated wetland by removing fill, such as topsoil, down to the hydric soil and re-establish wetland vegetation. Include a detailed description of the type and quantity of wetland seed mix and / or plantings;
3. Include a detailed description of the proposed means of erosion control (silt fence, hay bales, etc.) to be installed prior to the start of restoration activities;
4. Include a detailed proposed construction sequence to accomplish wetland restoration no later than July 30, 2006; and
5. All restoration activities shall be supervised by a certified wetland scientist.

2. Prior authorization from the current owner must be obtained before proceeding with the restoration. Documentation indicating this authorization must be submitted to DES prior to commencing restoration activities.
3. Implement the approved Restoration Plan only after receiving written approval and as conditioned by DES.
4. Submit a monitoring report documenting restoration activities within 30 days of completion.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.


Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Dawn Buker, Compliance Specialist  
Wetlands Bureau  
Department of Environmental Services  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact me at (603) 271-4066.

Sincerely,

  
Collis G. Adams, CWS  
Administrator  
Wetlands Bureau

CERTIFIED MAIL 7004 0750 00030561 8019

cc: Rene Pelletier, Manager, Land Resources Management Program  
Gretchen R. Hamel, Administrator, DES Legal Unit ✓  
Hopkinton Conservation Commission  
Hopkinton Board of Selectmen  
Stephen Dermody  
USACOE